

Appl. No. 10/052,321
Atty. Docket No. G-266ML (CP-1225)
Amdt. dated 04/02/2004
Reply to Office Action of 02/04/2004
Customer No. 27752

REMARKS

Application Amendments

Claims 1 and 2 are pending in the present application. No additional claims fee is believed to be due.

Claims 3-6 are canceled without prejudice.

Claims 7-23 have been withdrawn as a result of an earlier restriction requirement, and may be canceled upon notice of allowable subject matter.

Claims 1 and 2 have been amended as shown above. Support for these amendments can be found in original claims 1 and 2 as well as at page 3, lines 9-17 and page 4, lines 1-10 of the specification.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejection Under 35 USC 103(a) Over US Patent No. 6,436,152 to Chassot et al.

Claims 1-6 remain rejected under 35 USC 103(a) as being unpatentable over US Patent No. 6,436,152 to Chassot et al. ("Chassot") for reasons asserted by the Examiner in the prior Office action. However, the Examiner states that Applicants' compounds in which R₁ and R₂ together form an unsaturated ring would be allowable over Chassot.

As currently amended, claim 1 requires R₁ and R₂ together with the nitrogen atom to which they are attached to form a C₃ to C₆ unsaturated ring optionally containing in the ring one or more additional hetero atoms selected from O, S, and N atoms. Chassot fails to teach or suggest Applicants' claimed compounds. Therefore, and in accord with the Examiner's statement of allowable subject matter, it would not have been obvious to one of ordinary skill in the art to modify the compounds disclosed in Chassot or to make a selection from the disclosure of Chassot in order to achieve Applicants' claimed compounds.

Accordingly, Applicants' claims 1 and 2 are novel and unobvious over Chassot.

CONCLUSION

In light of the amendments and remarks presented herein, it is requested that the Examiner enter the current amendments and reconsider and withdraw the present rejections. Early and favorable action in the case is respectfully requested.

Applicants have made an earnest effort to place their application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing,

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Applicants respectfully request reconsideration of this application and allowance of Claims 1 and 2.

Respectfully submitted,
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